Reserve Bank of India has also evolved guidelines to enable commercial banks to fund film production. These steps have eased the flow of institutional finance into film production. In addition, the FDI regime for films has been further liberalised. Several tax concessions have also been given to the film industry during successive budgets. In the budget 2003-04, audio CDs have been exempted from the levy of Central Excise Duty.

Guidelines for setting up of Community Radio Stations

4577. SHRI SURESH PACHOURI :
SHRI K. RAMA MOHANA RAO :
SHRI C. P. THIRUNAVUKKARASU :

Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether Government have issued any guidelines for the setting up of Community Radio Stations;

(b) if so, the need for such stations;

(c) in what manner Government propose to regulate the functioning of these stations; and

(d) what would be the role of the States in this regard ?

THE MINISTER OF STATE OF THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI RAVI SHANKAR PRASAD) : (a) Yes, Sir, A copy of these guidelines is enclosed as Statement (*See* below) :

(b) The basic objective of the Community Radio Broadcasting would be to serve the cause of the community in the service area of the licensee by involving members of the community in the broadcast of their programmes, which will focus on issues relating to education, health, environment, agriculture, rural and community development. The programme content is to be confined to social, cultural and local issues.

(c) The licensee would be governed by the terms and conditions of the license.

(d) The State Governments are required to forward the application of the educational institution recognized by them, to this Ministry, when approached by an applicant. They have also been requested to arrange for wide multimedia publicity to the scheme for setting up of Community Radio Stations.

Statement

Guidelines for applying licenses for setting up Community Radio Stations

PREAMBLE

The Union Government has decided to grant Community Broadcasting licenses to well established educational institutions/organizations recognized by the Central Government or the State Government. These will include the Universities and Institutes of Technology/Management and residential school.

The salient features of eligibility criteria, basic conditions/obligations and procedures for obtaining license to set up and operate Community Radio Service are briefly described below :— For further details reference may be made to Ministry of Information and Broadcasting.

2. **Technical Parameters :**

2.1 Licence will be granted for FM transmitters for power of 50 Watts or less.

2.2 Licence will be issued in the shared frequency band from 87.5 to 100 Mhz. However, in the event of frequency not being available in this band, the exclusive broadcast band of 104 to 108 Mhz. may also be considered, as in case of private FM broadcasters. The frequency band from 100 to 104 Mhz. earmarked exclusively for the use of AIR, Prasar Bharati will not be disturbed.

3. **Procedure to be followed :**

Application :

3.1 Any eligible institution/organization desirous of setting up of Community Radio Broadcasting Service may make an application to the Ministry of I & B in the prescribed proforma. (Download application form).

3.2 The Ministry of I & B immediately on receipt of an application will consult the Wireless Advisor in WPC Wing of Ministry of Communications and also Prasar Bharati to determine the availability of frequency at the place requested by the applicant.

3.3 The Ministry of Information and Broadcasting will refer the eligible applicant case to the Ministries of Home Affairs, Defence, Human Resource Development and External Affairs and letter of intent and/or license will be issued only after getting the requisite clearances from these Ministries. The licensee will be required to sign a licence agreement after allotment of frequency by WPC. The license agreement shall specify detailed terms and conditions under which the licence is to be operated.

3.4 Within one year from the date of signing of licence agreement, the applicant will complete all necessary formalities such as obtaining SACFA clearance etc., set up the necessary broadcast facilities and obtain a Wireless Operating Licence from the Wireless Advisor in the WPC Wing of the Ministry of Communications and Information Technology.

3.5 In the event of more than one claimant for a single frequency at a given place, the licensee will be selected by a Committee constituted by the Ministry of I & B on the basis of standing commitment, objectives and resources of the applicant organization.

3.6 Licensee will be charged only the spectrum usage fee as determined by the WPC. The Ministry of I & B will not levy any other licence fee.

4. **Terms and Conditions :**

4.1 The basic objective of the Community Radio Broadcasting would be to serve the cause of the community in the service area of the licensee by involving members of the community in the broadcast of their programmes. For this purpose community would mean people living in the coverage zone of the broadcasting service of the licensee.

4.2 The licence shall be for a period of three (3) years.

4.3 The licence shall not be transferable.

4.4 An applicant will not be permitted more than one licence.

4.5 The licensee shall provide its services on free to air basis.

4.6 The licensee shall not use its channel/broadcast services in whole or part for commercial purposes.

4.7 The programmes on the community radio service will focus on issues relating to education, health, environment, agriculture, rural and community development. The content must be confined to social, cultural and local issues and the format, subject, presentation and language must reflect and exude the local flavour and fragrance.

4.8 The licensee shall not be permitted to broadcast any news and current affairs programmes and shall not air election and political broadcasts.

4.9 The licensee shall not air any advertisement or sponsored programmes.

4.10 The licensee shall ensure that nothing is included in the programme of the licensee which :

(a) Offends against good taste or decency;

(b) Contains criticism of friendly countries;

(c) Contains attack on religions or communities or visuals or words contemptuous of religious groups or which promote communal attitudes;

(d) Contains anything obscene, defamatory, deliberate, false and suggestive innuendos and half truths;

(e) Is likely to encourage or incite violence or contains anything against maintenance of law and order or which promote anti-national attitudes;

(f) Contains anything amounting to contempt of court;

(g) Contains aspersions against the integrity of the President and Judiciary;

(h) Contains anything affecting the integrity of the Nation;

(i) Criticises, maligns or slanders any individual in person or certain groups, segments of social, public and moral life of the country;

(j) Encourages superstition or blind belief;

(k) Denigrates women;

(l) Denigrates children;

(m) May present/depict/suggest as desirable the misuse of drugs including alcohol, narcotics and tobacco or which may stereotype, incite, vilify or perpetuate hatred against or attempt to demean any person or group on the basis of ethnicity, nationality, race, gender, sexual preference, religion, age or physical or mental disability.

4.11 The licensee shall ensure that due care is taken with respect to religious programmes with a view to avoiding :–

(a) improper exploitation of religious susceptibilities; and

(b) offence to the religious views and beliefs of those belonging to a particular religion or religious denomination.

4.12 That the licensee shall ensure that due emphasis is given in the programmes to promote values of national integration, religious harmony, scientific temper and Indian culture.

4.13 The licensee shall follow the Programme Code of All India Radio.

4.14 The licensee shall pay spectrum usage fee as determined by the Wireless Advisor in WPC Wing.

4.15 Though the licensees will operate the service under the Ministry of Information and Broadcasting, Government of India, the licensing will be subject to the condition that as and when any regulatory authority to regulate and monitor the broadcast services in the country is constituted, the licensees will have to adhere to the norms, rules and regulations prescribed by such authority.

4.16 The licensee shall provide such information to the Government on such intervals as may be required in this connection, the licensee is required to preserve tapes of programmes broadcast during the last six months failing which the Government will be at liberty to revoke the licence.

4.17 The Government or its authorized representative shall have the right to inspect the broadcast facilities of the licensees and collect such information as considered necessary in public and community interests.

4.18 The Government reserves the right to take over the entire services and networks of the licensee or revoke/terminate/suspend the licence in the interest of national security or in the event of national emergency/war or low intensity conflict or similar type of situations.

4.19 All foreign personnel likely to be deployed by way of appointment, contract, consultancy, etc. by the licensee for installation, maintenance and operation of the licensee's services shall be required to obtain security clearance from the Government of India.

4.20 The Government reserves the right to modify at any time the terms and conditions if it is necessary to do so in the interest of the general public or for the proper conduct of broadcasting or for security considerations.

4.21 Government may revoke the licence at any time in public interest or for breach of any terms and conditions of the licence by giving a notice of 15 days.

4.22 Notwithstanding anyting contained anywhere else in the licence the Government's decision shall be final and conclusive.

4.23 The licensees shall furnish a bank guarantee for a sum of Rs. 50,000/- (Rupees fifty thousand) only to ensure timely performance of the licence agreement.

4.24 If the licensee fail to commission services within the stipulated period, he shall forfeit the amount of bank guarantee to the Government and the Government would be free to cancel the licence awarded to the licensee.

4.25 A licence will be subject to such other conditions as may be determined by the Government.